

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA,

08 MJ 8397

UNITED STATES OF AMERICA,

Plaintiff,

v.

Joseph Junior LAPORTA (1)

Connie ZUNIGA (2)

Defendants.

Magistrate Case No.:

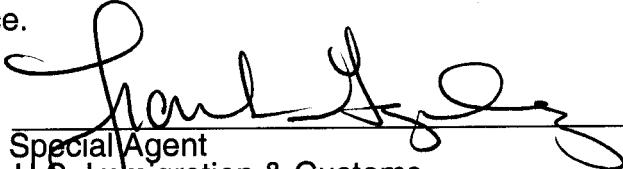
COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about May 5, 2008, within the Southern District of California, defendants Joseph Junior LAPORTA and Connie ZUNIGA did knowingly and intentionally import approximately 42.14 kilograms (90.50 pounds) of marijuana a Schedule I Controlled Substance into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 & 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9TH
DAY OF MAY 2008.


RUBEN B. BROOKS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Joseph Junior LAPORTA (1)

4 Connie ZUNIGA (2)

5 STATEMENT OF FACTS

6 This statement of facts is based on the reports, documents, and notes furnished
7 to U. S. Immigration and Customs Enforcement Special Agent Frank Gonzalez.

8 On May 8, 2008, at approximately 0844 hours, Joseph Junior LAPORTA III and
9 Connie ZUNIGA entered the United States at the Calexico West, California, Port of
10 Entry. LAPORTA was the driver and registered owner of a 2001 Honda Odyssey.
11 LAPORTA was accompanied by his wife, Connie ZUNIGA.

12 Customs & Border Protection (CBP) Officer Garcia was conducting pre-primary
13 operations when CBP Officer Barela informed him his assigned Narcotic Detector Dog
14 (NDD) alerted to the 2001 Honda Odyssey. CBP Officer Garcia approached LAPORTA
15 presented a valid California driver's license. LAPORTA gave CBP Officer Garcia a
16 negative Customs declaration stating he was only bringing tamales. CBP Officer Garcia
17 asked LAPORTA what was the purpose of his trip to Mexico. LAPORTA stated they
18 were visiting ZUNIGA's relatives. LAPORTA added he was on his way to work as a real
19 estate agent. LAPORTA, ZUNIGA and the vehicle were escorted to vehicle secondary
for further inspection.

20 Once in vehicle secondary, CBP Officer Garcia conducted an intensive
21 inspection of the vehicle revealing a non-factory compartment in the rear area of the
22 floor of the vehicle. The vehicle was then screened by the x-ray van, which revealed
23 anomalies in the rear area of the van. CBP Officer Garcia pried open the access plate
24 to the non-factory compartment and large plastic wrapped bundles were visible. A total
25 of 21 packages were removed from the compartment. One package was probed and
26 the green leafy substance field-tested positive for the presence of marijuana a
27 Schedule I Controlled Substance. The 21 packages had a combined net weight of
28 approximately 42.14 kilograms (90.50 pounds).

29

1 LAPORTA was placed under arrest and advised of his Constitutional Rights,
2 which he acknowledged but denied knowledge of the marijuana concealed within the
3 vehicle. LAPORTA stated he bought the vehicle approximately one week and a half
4 ago and paid \$8,000.00 for the vehicle. LAPORTA stated that he was going to drop off
5 ZUNIGA at her aunt's house in El Centro, California and then going to Indio, California
6 to show houses.

7 ZUNIGA was placed under arrest and advised of her Constitutional Rights, which
8 she acknowledged but denied knowledge of the marijuana concealed in the vehicle.
9 ZUNIGA stated that LAPORTA purchased the vehicle approximately three weeks ago
10 and paid \$6,000.00. ZUNIGA stated they were headed to Los Angeles to pick up
11 business magnets for her husbands real estate business.

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